

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0221

HOUSE BILL NO. 1050

Introduced by: The Committee on Commerce at the request of the Department of Commerce
and Regulation

1 FOR AN ACT ENTITLED, An Act to revise the term, creditable coverage, with regard to
2 health insurance policies.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 58-17-69 be amended to read as follows:

5 58-17-69. For purposes of §§ 58-17-66 to 58-17-87, inclusive, the term, creditable coverage,
6 means benefits or coverage provided under:

7 (1) An employer-based health insurance or health benefit arrangement that provides
8 benefits similar to or exceeding benefits provided under the basic health benefit plan
9 or an employee welfare benefit plan as defined in section 3(1) of the Employee
10 Retirement Income Security Act of 1974 as adopted by the director pursuant to
11 chapter 1-26, to the extent that the plan provides directly or through insurance,
12 reimbursement or otherwise to employees or their dependents medical care for the
13 diagnosis, cure, mitigation, treatment, or prevention of disease, or amounts paid for
14 the purpose of affecting any structure or function of the body and amounts paid for
15 the transportation primarily for and essential to medical care;

16 (2) An individual health benefit plan, including coverage issued by any health maintenance

1 organization or pre-paid hospital or medical services plan that provides benefits
2 similar to or exceeding the benefits provided under the basic health benefit plan as
3 approved pursuant to § 58-18B-32, but excluding limited benefit plans and dread
4 disease plans;

5 (3) Medicare or medicaid;

6 (4) Chapter 55 of Title 10, United States Code;

7 (5) A medical care program of the Indian Health Service or of a tribal organization;

8 (6) A state health benefits risk pool;

9 (7) A health plan offered under Chapter 89 of Title 5, United States Code;

10 (8) A public health plan;

11 (9) A health benefit plan under section 5(e) of the Peace Corps Act (22 U.S.C. 2504(e));

12 (10) A church plan; ~~or~~

13 (11) A college plan; or

14 (12) A short term or limited duration plan.